

Dear All:

I am writing with an important update about the constitutional crisis involving Guyana.

On June 18th, following six months of legal challenges, the Caribbean Court of Justice (CCJ) unanimously (5-0) ruled that the vote of no confidence that was tabled by the People's Progressive Party (PPP) and passed on December 21, 2018 by a vote of 33-32 was valid. It recognized that the vote of no confidence triggered elections that should have taken place by March 21, 2019. Despite this ruling, the Government made no efforts to call for elections.

On July 12th, the CCJ delivered its consequential orders to the Government, the PPP and the Guyana Elections Commission (GECOM). Again, it *unanimously* ruled that the December 21, 2018 vote of no confidence was duly passed and valid and, pursuant to the clear language of Article 106(7) of the Guyanese Constitution, that elections should have been held by March 21, 2019. It also ruled that, pursuant to Article 106(6), the "Cabinet including the President shall resign" and only a "caretaker" government may remain in order to carry out the required elections. Importantly, the CCJ specifically noted that GECOM is subject to Article 106. In other words, GECOM must abide by the Constitution and not the other way around.

I have attached to this email a copy of the CCJ's consequential orders. The CCJ could not have been more clear in ordering the Government to follow the Constitution and the rule of law. Tellingly, the court begins with the following passage:

"Due observance of constitutional democracy and the rule of law in Guyana rests, in large measure, with the conduct of the various branches of government, that is, the President and the Cabinet, the Parliament and the Judiciary. All must be faithful to the spirit and letter of the Constitution and operate within the parameters given to each by the Constitution."

Unfortunately, to date, the Government continues to defile and hold in contempt the same Constitution that allows it to exist in the first place. The Cabinet has refused to resign. More importantly, the President and GECOM continue to ignore the Constitution by not calling for elections, elections that should have taken place on March 21st.

Instead, the GECOM, whose Chairman was illegally selected by the President and forced to resign after a CCJ ruling, also on June 12th, continues to insist on preparing for the elections by conducting an unwarranted, burdensome and lengthy "house-to-house" registration process that, by its own admission to the CCJ, would not be completed until the end of 2019, at the earliest. It would also be illegal in light of the clear orders of the CCJ that such elections should have been held in March and must now be held as required by the Constitution. **The PPP has requested that they be held within 90 days of the CCJ's ruling on June 18th, or September 19th.**

Indeed, even the CCJ's own internal counsel has advised it that house to house registration – because it could not be complete on time -- would be an act of contempt against the CCJ. See attached article and other relevant articles.

The People of Guyana spoke through their elected representatives on December 21, 2018 about their desire for early elections. This sentiment was reflected only a month earlier when, during local elections held nation-wide, candidates representing the PPP obtained over 60% of the vote and won in districts that have been traditional strong-holds for the governing coalitions.

Now the courts have spoken and made it clear that the Constitution and the rule of law must be respected.

Guyana is a country with many development challenges but one that had overcome years of political violence before the country's voting electoral system was revised in the early 1990s, thanks to U.S. leadership. The current government's open contempt for its legal system and traditions risks turning back the clock. Instead of planning for their futures, the people of Guyana are once again starting to feel insecure and beginning to question the legitimacy of their government and institutions. This should alarm the U.S. Congress given the large number of Guyanese Americans living in the US – by some estimates about 1/3 of the population of Guyana itself – and the strong economic interest of major U.S. companies with interests in the country, especially ExxonMobile.

And this tragic situation is unfolding at the same time that its neighbor in South America, Venezuela, is also confronting its own constitutional crisis, with a President who has been openly hostile to its own constitution and the rule of law.

It is time for renewed American leadership to protect American interests and values, including the promotion of the rule of law in our hemisphere.

I urge to pursue the following courses of action:

[Concrete asks....]

Best regards,
Joe

DISSEMINATED BY MERCURY PUBLIC AFFAIRS, A REGISTERED FOREIGN AGENT, ON BEHALF OF THE PEOPLE'S PROGRESSIVE PARTY (PPP) OF GUYANA. MORE INFORMATION IS ON FILE WITH THE DEPT. OF JUSTICE, WASHINGTON, D.C.